

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Michael Eugene Spry

Docket No. 2:16-CR-13-1D

Petition for Action on Supervised Release

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Michael Eugene Spry, who, upon an earlier plea of guilty to Armed Bank Robbery and Aiding and Abetting, in violation of 18 U.S.C. §§ 2113(a)(d), and 2; and Possession or Use of a Firearm in Connection with a Crime of Violence and Aiding and Abetting, in violation of 18 U.S.C. §§ 924(c)(1) and 2, was sentenced by the Honorable Walker D. Miller, United States District Judge for the District of Colorado, on September 30, 1999, to the custody of the Bureau of Prisons for a total term of 117 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Michael Eugene Spry was released from Bureau of Prisons custody on April 19, 2007, at which time he was placed into the custody of the Virginia Department of Corrections. He was released from state custody on February 5, 2016, at which point the term of supervised release commenced in the Eastern District of North Carolina. Jurisdiction was transferred from the District of Colorado to the Eastern District of North Carolina on April 14, 2016.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

On March 31, 2016, Spry signed an admission form indicating he last used marijuana on or about March 19, 2016.

As a sanction for the violation, the probation officer respectfully recommends the conditions of supervised release be modified to include the DROPS Program at the second use level.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

Michael Eugene Spry
Docket No. 2:16-CR-13-1D
Petition For Action
Page 2

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: (252) 830-2345
Executed On: April 20, 2016

ORDER OF THE COURT

Considered and ordered this 27 day of April, 2016 and ordered filed and
made a part of the records in the above case.

James C. Dever
James C. Dever III
Chief U.S. District Judge